

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jacob BARAK et al.

GROUP: 3764

SERIAL NO: 09/413,968

EXAMINER: J. Yu

FILED: October 7, 1999

FOR: PORTABLE AMBULANT PNEUMATIC COMPRESSION SLEEVE

BOX RCE

Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

**SUBMISSION OF SUBSTITUTE DECLARATION**

In response to the Office Action mailed February 7, 2001, Applicants submit the attached substitute declaration as requested by the Examiner.

Accordingly, in view of the submitted amendments and for the reasons set forth in the previously filed response, the Examiner is respectfully requested to reconsider and withdraw all outstanding rejections. Also, an early indication of allowability is earnestly solicited.

Respectfully submitted,



Matthew E. Connors  
Registration No. 33,298  
Samuels, Gauthier & Stevens  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
Telephone: (617) 426-9180

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231

  
Deborah M. Costello

7/2/01

Date

## RECORDATION FORM COVER SHEET

## PATENTS ONLY

HONORABLE COMMISSIONER OF  
PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

SIR:

PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENT(S) OR COPY(IES) THEREOF.

## 1. NAME OF CONVEYING PARTY(IES)

Jakob Barak,  
Yoav Naveh &  
Sharon Ehrlich

Additional name(s) of conveying party(ies) attached? No

## 2. NAME(S) AND ADDRESS(ES) OF RECEIVING PARTY(IES)

Medical Compression Systems, (DBN) Ltd.  
9 Harugei Malhut Street  
Tel-Aviv  
ISRAEL

Additional name(s) of receiving party(ies) attached? No

## 3. NATURE OF CONVEYANCE

- Assignment
- Security Agreement
- Merger
- Change of Name
- Other

Execution Date:

12/26/99

## 4. APPLICATION NUMBER(S) OR PATENT NUMBER(S)

If this document is being filed together with a new application, the execution date of the application is: 10/7/99

A. Patent Application No(s): 09/413,968

B. Patent No(s): \_\_\_\_\_

C. Issue Batch No.: \_\_\_\_\_

D. Issue Date: \_\_\_\_\_

Additional numbers attached? No.

5. NAME AND ADDRESS OF PARTY TO WHOM  
CORRESPONDENCE CONCERNING DOCUMENT  
SHOULD BE DIRECTED:

Matthew E. Connors  
Samuels, Gauthier & Stevens LLP  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
(617) 426-9180, Extension 112

6. TOTAL NUMBER OF APPLICATIONS  
AND PATENTS INVOLVED: 1

## 7. TOTAL FEE DUE: \$40.00 (Enclosed)

If any additional fee(s) are due, the Commissioner is hereby authorized to charge the Deposit Order Account noted in item 8.

## 8. DEPOSIT ACCOUNT NUMBER: 19-0079

## 9. STATEMENT AND SIGNATURE

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Matthew E. Connors  
Name of Person Signing

  
Signature

Date

1/3/00

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: 1/3/2000

  
Deborah M. Costello

**DECLARATION AND POWER OF ATTORNEY**

We, the below named inventors, hereby declare that:

Our residences, post office addresses, and citizenships are as stated below next to our respective names.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **PORTABLE AMBULANT PNEUMATIC COMPRESSION SYSTEM**, the specification of which was filed in the U.S. Patent Office on October 7, 1999 as Serial No. 09/413,968. This application is a continuation-in-part of still-pending United States Patent Application Serial No. 09/038,157, filed March 11, 1998.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

We hereby claim the benefit under Title 35, United States Code, §120, of United States Patent Application Serial No. 09/038,157 filed March 11, 1998, and insofar as the subject matter of each of the claims of this application is not disclosed in that prior application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application.

We hereby declare that all statements are made hereby of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And we hereby appoint:

Maurice E. Gauthier	-	Reg. No. 20,798
Richard L. Stevens	-	Reg. No. 24,445
Matthew E. Connors	-	Reg. No. 33,298
William E. Hilton	-	Reg. No. 35,192
Patrick J. O'Shea	-	Reg. No. 35,305
Arlene J. Powers	-	Reg. No. 35,985
Steven M. Mills	-	Reg. No. 36,610
Anthony P. Onello, Jr.	-	Reg. No. 38,572

all of the firm of Samuels, Gauthier & Stevens, our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Samuels, Gauthier & Stevens, LLP  
225 Franklin Street, Suite 3300  
Boston, MA 02110  
Attn: Matthew E. Connors

Jakob Barak

19. 6. 2001

(Date)

Israel  
(Citizenship)

Yoav Naveh

27. 6. 2001

(Date)

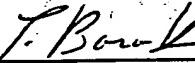
Israel  
(Citizenship)

Sharon Ehrlich

19. 6. 2001

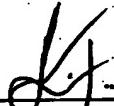
(Date)

Israel  
(Citizenship)

  
(Inventor's Signature)

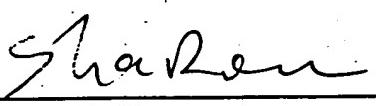
20 Ha'oren Street  
Oranit, 44813, ISRAEL  
(Residence)

Same as Residence  
(Post Office Address)

  
(Inventor's Signature)

37 Harakefet Street  
Atlit, 30300, ISRAEL  
(Residence)

Same as Residence  
(Post Office Address)

  
(Inventor's Signature)

House 159  
Beit-Herot, 40290, ISRAEL  
(Residence)

Same as Residence  
(Post Office Address)

**ASSIGNMENT**

Know all men by these presents that:

WHEREAS we,                   **Jakob Barak**  
                                   20 Ha'oren Street  
                                  Oranit, 44813, ISRAEL

and                           **Yoav Naveh**  
                                  37 Harakefet Street  
                                  Atlit, 30300, ISRAEL

and                           **Sharon Ehrlich**  
                                  House 159  
                                  Beit-Herot, 40290, ISRAEL

have made an invention for

**PORTABLE AMBULANT PNEUMATIC COMPRESSION SYSTEM**

described in the application filed in the United States Patent Office on October 7, 1999 as Serial No. 09/413,968. This application is a continuation-in-part of still-pending U.S. Patent Application Serial No. 09/038,157, filed March 11, 1998.

WHEREAS Medical Compression Systems, (DBN) Ltd. a corporation duly organized and existing under the laws of Tel-Aviv, Israel and having a place of business at 9 Harugei Malhut Street, Tel-Aviv, 69714, Israel, for the benefit of itself, its successors and assigns, all inclusively hereinafter referred to as the Assignee, is desirous of acquiring the entire right, title and interest in and to the said invention, the said application, all inventions disclosed in said application and any and all Letters Patent of the United States and of all other countries which may be granted for the said invention or inventions, or any of them;

NOW, THEREFORE, for good and valuable consideration provided by said Assignee, the receipt whereof is hereby acknowledged, we do hereby sell, assign and transfer to the said Assignee the entire right, title and interest in and to the said invention, inventions and application, including all priority rights arising therefrom, all inventions disclosed in said application, and any and all Letters Patent of the United States, and of all other countries, together with the right to apply for such Letters Patent, which may be granted for the said invention, inventions or any of them,

all of the firm of Samuels, Gauthier & Stevens, our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

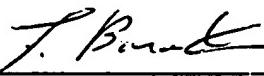
I request that all correspondence be directed to:

Samuels, Gauthier & Stevens, LLP  
225 Franklin Street, Suite 3300  
Boston, MA 02110  
Attn: Matthew E. Connors

Jakob Barak

26.12.99  
(Date)

ISRAEL  
(Citizenship)

  
(Inventor's Signature)

20 Ha'oren Street  
Oranit, 44813, ISRAEL  
(Residence)

Same as Residence  
(Post Office Address)

  
(Inventor's Signature)

37 Harakefet Street  
Atlit, 30300, ISRAEL  
(Residence)

Same as Residence  
(Post Office Address)

  
(Inventor's Signature)

Sharon Ehrlich

December 26, 1999  
(Date)

ISRAELI  
(Citizenship)

  
(Inventor's Signature)

House 159  
Beit-Herot, 40290, ISRAEL  
(Residence)

Same as Residence  
(Post Office Address)